

TWENTY-NINTH LEGISLATIVE DAY

The House met at 5:00 p.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Reverend David R. Davis, Hamilton United Methodist Church, Antioch, Tennessee.

Representative Phillips led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present 97

Representatives present were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--97.

The Speaker announced that Representative Ford was excused because of a death in the family.

The House paused for a moment of silent prayer in memory of Dr. Hobart Ford, former State Representative from Cocke County.

MONDAY, APRIL 18, 1983--29th LEGISLATIVE DAY

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bills Nos. 49, 66, 194, 233, 234, 275, 320, 393, 417, 528, 540, 768, 820, 830, 831, 838, 1221, 1223, 1229, 1230, 1232, 1234, 1248, and House Joint Resolution Nos. 108, 110, 111, 112, 113, 114, 115, 116, 117 and 118, with his approval.

WILLIAM C. KOCH, JR.,
Counsel to the Governor.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No. 799 signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bill No. 799; for his action.

MARLYN EVELYN HAND,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bill No.:

552--To repeal certain provisions, Code; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

CALENDAR

House Bill No. 335--To make certain provisions, tool and die parts.

On motion, House Bill No. 335 was made to conform with Senate Bill No. 2.

On motion, Senate Bill No. 2, on same subject, was substituted for House Bill No. 335.

MONDAY, APRIL 18, 1983--29th LEGISLATIVE DAY

Mr. Chiles moved that Senate Bill No. 2 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes	1
Present and not voting	2

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Frensley, Gafford, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Tanner, Turner, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--92.

Representative voting no was: Williams--1.

Representative present and not voting were: Robinson (Washington) and Ussery--2.

A motion to reconsider was tabled.

Mr. Chiles moved that House Bill No. 759 be placed on the first calendar for 1984, which motion prevailed.

Mr. Bivens moved that House Bill No. 39 be rereferred to the Committee on Calendar and Rules, which motion prevailed.

Mr. Speaker McWherter relinquished the Chair to Mr. Brewer, Speaker pro tem.

House Bill No. 577--To make certain provisions, small businesses.

Mr. Drew moved that House Bill No. 577 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	69
Noes	22
Present and not voting	1

Representatives voting aye were: Bell, Bivens, Brewer, Buck, Burnett, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Duer, Ellis, Elsea, Gafford, Gaia, Gill, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kernell, King (Shelby), King (Washington), Kisber, Love,

McKinney, Miller, Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Owen, Phillips, Pruitt, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shockley, Sir, Smith, Stallings, Starnes, Tanner, Turner, Wallace, Webb, Wheeler, Whitson, Williams, Wood, Work, Yelton and Mr. Speaker McWherter--69.

Representatives voting no were: Anderson, Atchley, Bewley, Bragg, Byrd, Chiles, Clark (Sumner), Frensley, Harrill, Hassell, Henry, Kent, McNally, Montgomery, Moore (Shelby), Nance, Percy, Robertson, Scruggs, Shirley, Ussery and Wolfe--22.

Representative present and not voting was: Stafford--1.

A motion to reconsider was tabled.

House Bill No. 408--To regulate examination and cross-examination of witnesses.

On motion, House Bill No. 408 was made to conform with Senate Bill No. 384.

On motion, Senate Bill No. 384, on same subject, was substituted for House Bill No. 408.

Mr. Turner moved that Senate Bill No. 384 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes	0
Present and not voting	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--93.

Representative present and not voting was: Stafford--1.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 410--To amend General Sessions Criminal Court Act.

MONDAY, APRIL 18, 1983--29th LEGISLATIVE DAY

On motion, House Bill No. 410 was made to conform with Senate Bill No. 133.

On motion, Senate Bill No. 133, on same subject, was substituted for House Bill No. 410.

Mr. Turner moved that Senate Bill No. 133 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	91
Noes	0
Present and not voting	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Frenslley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--91.

Representative present and not voting was: Shirley--1.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

Mr. Burnett moved that Senate Bill No. 600 be placed on the Calendar for Thursday, April 28, 1983, which motion prevailed.

House Bill No. 1176--To amend Sections 50-1006, 50-1027 and 50-1023, Code.

Mr. Atchley moved that House Bill No. 1176 be passed on third and final consideration.

Mr. Ellis moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1176 in Section 2 by deleting the figures "50-1106" in the directory language and by substituting instead the figures "50-1006".

On motion, the amendment was adopted.

Thereupon, House Bill No. 1176, as amended, passed its third and final consideration by the following vote:

Ayes	91
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Elsea, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wolfe, Wood, Work and Yelton--91.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 490--To establish jurisdiction, Chancery court, certain complaints.

Mr. McKinney moved that House Bill No. 490 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	84
Noes	0
Present and not voting	8

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Disspayne, Dixon, Drew, Ellis, Elsea, Gafford, Gaia, Gill, Harrill, Hassell, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McKinney, McNally, Miller, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Nance, Napier, Owen, Percy, Phillips, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stallings, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--84.

Representatives present and not voting were: Duer, Frensley, Henry, McAfee, Montgomery, Naifeh, Stafford and Tanner--8.

Mr. Speaker McWherter was present.

MONDAY, APRIL 18, 1983--29th LEGISLATIVE DAY

A motion to reconsider was tabled.

Mr. McAfee moved that House Bill No. 715 be re-referred to the Committee on State and Local Government, which motion prevailed.

House Bill No. 286--To regulate wine distribution.

On motion, House Bill No. 286 was made to conform with Senate Bill No. 206.

On motion, Senate Bill No. 206, on same subject, was substituted for House Bill No. 286.

Mr. Murphy moved that Senate Bill No. 206 be passed on third and final consideration.

Mr. Rhinehart moved the previous question, which motion prevailed by the following vote:

Ayes	73
Noes	12
Present and not voting	7

Representatives voting aye were: Anderson, Bell, Bewley, Bivens, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Disspayne, Dixon, Drew, Ellis, Elsea, Frensley, Gafford, Gaia, Gill, Hassell, Herndon, Hillis, Hudson, Hurley, Huskey, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Murray, Naifeh, Napier, Owen, Phillips, Pickering, Pruitt, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Shockley, Sir, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Webb, Wheeler, Whitson, Williams, Wix, Work and Yelton--73.

Representatives voting no were: Chiles, DeBerry, Duer, Harrill, Jared, Jones, Robertson, Scruggs, Smith, Wallace, Wolfe and Wood--12.

Representatives present and not voting were: Atchley, Bragg, Dills, Moore (Sullivan), Murphy, Nance and Percy--7.

Thereupon Senate Bill No. 206 passed its third and final consideration by the following vote:

Ayes	68
Noes	24
Present and not voting	2

Representatives voting aye were: Anderson, Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Clark (Davidson), Cobb, Covington, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest,

MONDAY, APRIL 18, 1983--29th LEGISLATIVE DAY

Disspayne, Dixon, Drew, Ellis, Elsea, Frensley, Gafford, Gill, Herndon, Hillis, Hudson, Hurley, Johnson, Kelley, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Murphy, Murray, Napier, Owen, Phillips, Pickering, Pruitt, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shockley, Sir, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Webb, Wheeler, Whitson, Wix, Wood, Work and Yelton--68.

Representatives voting no were: Atchley, Chiles, Clark (Sumner), Crain, DeBerry, Dills, Duer, Gaia, Harrill, Hassell, Henry, Huskey, Jared, Jones, Kent, Kernell, Moore (Sullivan), Naifeh, Percy, Robertson, Smith, Wallace, Williams and Wolfe--24.

Representatives present and not voting were: Nance and Shirley --2.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 779--To authorize investment, certain court funds.

Mr. Murphy moved that House Bill No. 779 be passed on third and final consideration.

Mr. King (Washington) moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 779 by adding a new subsection (d) to Section 1 to read as follows:

(d) Notwithstanding any of the foregoing provisions, any clerk investing idle appearance bond funds in cases where the bonded party is charged with a violation of any of the laws governing the possession or use of drugs or controlled substances, the interest on such invested funds shall be deposited in the county drug fund as established in Section 52-1449, less five percent (5%) of the earnings of such investment that the clerk shall retain as a fee.

On motion, the amendment was adopted.

Thereupon, House Bill No. 779, as amended, passed its third and final consideration by the following vote:

Ayes	91
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis

MONDAY, APRIL 18, 1983--29th LEGISLATIVE DAY

(Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Tanner, Turner, Ussery, Wallace, Webb, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--91.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 780--To regulate filing of certain appeals.

Mr. Murphy moved that House Bill No. 780 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	87
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Johnson, Kelley, Kent, Kernell, King (Washington), Kisber, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Tanner, Turner, Ussery, Wallace, Webb, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton --87.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 899--To impose tax, liquefied petroleum gas.

Mr. Tanner moved that House Bill No. 899 be passed on third and final consideration.

Mr. Tanner moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 899 by deleting all the language following

MONDAY, APRIL 18, 1983--29th LEGISLATIVE DAY

the enacting clause and substituting the following:

SECTION 1. This act shall be known and may be cited as "The Liquefied Gas Tax Law."

SECTION 2. As used in this act:

(a) "Liquefied gas" means all combustible gases that exist in the gaseous state at sixty (60) degrees Fahrenheit and at a pressure of fourteen and seventenths (14.7) pounds per square inch absolute, but does not include gasoline or diesel fuel.

(b) "Commercial purposes" means use in a trade or business.

(c) "Commissioner" means the commissioner of the department of revenue.

(d) "Dealer" means a person who is the operator of a service station or other retail outlet and who delivers liquefied gas into the fuel supply tanks of motor vehicles. It also means a person who delivers liquefied gas into a dispenser capable of fueling motor vehicles.

(e) "Motor vehicle" means a self-propelled vehicle licensed for highway use.

(f) "Passenger car" means a motor vehicle designed for carrying ten (10) or fewer passengers and used for the transportation of persons.

(g) "Taxable sales or deliveries" means the delivery in Tennessee of liquefied gas into the fuel supply tank of a motor vehicle which does not have affixed a current user permit.

(h) "User" means a person who operates a motor vehicle in this state which is propelled by liquefied gas.

SECTION 3.

(a) A tax is imposed on liquefied gas used for the propulsion of motor vehicles on the public highways of this state at the rate of nine cents (\$.09) a gallon.

(b) The provisions of this section shall not apply to the extent and in the manner such exemptions apply to governmental units or purposes which are exempted in Title 67, Chapter 36.

SECTION 4.

MONDAY, APRIL 18, 1983--29th LEGISLATIVE DAY

(a) A person using a liquefied gas propelled motor vehicle, including a motor vehicle equipped to use liquefied gas interchangeably with another motor fuel, that is required to be licensed in Tennessee for use on the public highways, shall prepay the tax imposed in Section 3 to the commissioner on an annual basis.

(b) An out-of-state user shall pay the liquefied gas tax on delivery of the liquefied gas into the fuel supply tank of a motor vehicle.

SECTION 5.

(a) A dealer who sells taxable liquefied gas, or a user whose motor vehicle is licensed in this state, shall file an application with the commissioner for the kind and class of nonassignable permit required by this act.

(b) An application for a permit must be filed on a form provided by the commissioner showing the kind and class of permit desired, the odometer reading of the motor vehicle for which application is made, and other information required by the commissioner.

(c) A dealer permit shall be posted in a conspicuous place or kept available for inspection at the principal place of business of the permittee. A dealer permittee shall reproduce the permit and display in a conspicuous place at each additional place of business from which liquefied gas is sold, delivered or used in motor vehicles. A user permit shall be affixed in the upper right corner of the front windshield (passenger side) of the vehicle.

(d) A dealer permit authorizes a dealer to collect and remit taxes on liquefied gas delivered into the fuel supply tanks of motor vehicles which do not have affixed a user permit.

SECTION 6.

(a)

(1) Application for a dealer permit shall be accompanied by a bond, payable to the state of Tennessee, in the penalty amount determined under subdivision (3). The bond shall be conditioned to be void if the applicant pays to the commissioner all taxes accruing against the applicant imposed by this act, together with interest and penalties.

(2) The commissioner may, upon evidence satisfactory to him submitted with the application for a dealer permit, accept in lieu of the bond required in

subdivision (1) a bond executed under Chapter 35 of Title 67.

(3) The penalty of the bond shall be not less than the greater of one thousand dollars (\$1,000) or the amount of the tax required to be paid quarterly by the person. The quarterly amount shall be determined by averaging the tax over a period of six (6) months immediately preceding the execution of the said bond. If a person shall not have been in business for a period of six (6) months the penalty of the bond shall be determined on the average quarterly tax during the actual time the person has been engaged in business or on the estimated average quarterly tax. The commissioner may, at any time, require additional bond whenever in his discretion he deems same necessary to safeguard the revenues of the state, but in no event shall said bond exceed the sum of one hundred thousand dollars (\$100,000).

(4) A person required to execute more than one bond may combine the total amount of each of the bonds into a single bond. The penalty of any combination bond shall be determined in the manner provided in subdivision (3), but shall in no case be less than three thousand dollars (\$3,000) nor more than two hundred thousand dollars (\$200,000).

(5) The commissioner may allow the applicant to secure a bond by depositing collateral.

(b)

(1) A bond may be a corporate surety bond or a personal surety bond. In either event it shall be signed by the applicant as principal. If a corporate surety bond is executed, it shall be signed as surety by a surety or bonding company licensed to do business in this state.

(2) Any applicant may execute a bond with personal surety approved by the commissioner. The personal surety or sureties shall own real estate within the state, free and unencumbered, and with the assessed value equal to the amount of the average tax payment. The bond shall be registered in the register's office of the county in which the property is located, and the taxpayer shall be liable for all registration fees. The state shall have a lien against the property superior to all other liens attaching after the registration, which may be enforced by levy on the property of the taxpayer and his surety and sale of the property as provided by law. Any personal

surety bond shall be executed on forms to be furnished by the commissioner and shall contain a sworn certificate of the county trustee showing the assessed valuation of the real estate and that all ad valorem taxes on it are paid. In the event the property is located within an incorporated town or city, the foregoing information shall also be furnished by sworn certificate of the proper municipal official. The bond shall also contain an abstract of the title of the real estate described in the instrument, showing the exact status of the title to the property for the preceding ten (10) years, and the abstract of title shall be signed and sworn to by the county register.

(c)

(1) If at any time after the execution of any surety bond, the surety or sureties become insolvent, the commissioner may require the execution of a new bond with good and solvent surety in the same manner and with the same penalty as the bond being replaced, subject to the approval of the commissioner.

(2) Any person executing a bond under the provisions of this act may, at any time prior to default under any existing bond, apply to the commissioner for the cancellation of the existing bond and leave to file a new bond with a new surety in accordance with the provisions of this act.

(d) Registers of the various counties of the state shall register any bond executed under this act when presented, and shall properly index same on their records. The bond shall be released of record by the commissioner by marginal release when the taxpayer's liability has been finally determined and terminated.

(e) All liability on a bond executed under this act shall cease to accrue upon the principal or surety giving the commissioner sixty (60) days notice of his desire to cancel the bond. Thereafter, if real estate has been pledged as security, either the principal or surety may request the commissioner to cause an audit to be made of the books and records of the principal and the audit shall be commenced within ninety (90) days from the date of the request. Upon completion of the audit, and if no additional taxes or moneys are shown by the audit to be due and owing to the state, or if any taxes or moneys are shown to be due and the additional sum is paid to the commissioner, all liability of the surety on the bond shall cease and determine and the surety shall be released. Any collateral deposited as security with the commissioner shall be released and returned to the person entitled to it. Any

real estate which has been pledged as security for the bond shall be released by the commissioner by the execution of a release for that purpose, which may be recorded in the same manner as other releases or encumbrances on real estate are recorded. The commissioner may require the principal on the bond to furnish the form for a release.

SECTION 7.

(a) A user of liquefied gas for the propulsion of a motor vehicle on the public highways of Tennessee shall pay in advance annually on each motor vehicle license in Tennessee by him a tax based on the classification of the vehicle according to the following schedule:

Passenger Car	\$70
Class 1	84
2	84
3	100
4	100
5	114

Said tax shall be paid on a July 1 through June 30 basis and shall be prorated from the date of acquisition or the installation of the liquefied gas carburetor system.

(b) As used in this act:

(1) "Class 1" means vehicles, other than passenger cars, of declared maximum gross weight, including vehicle and load, of not more than nine thousand (9,000) pounds.

(2) "Class 2" means vehicles of declared maximum gross weight, including vehicle and load, of not more than sixteen thousand (16,000) pounds.

(3) "Class 3" means vehicles of declared maximum gross weight, including vehicle and load, of not more than twenty thousand (20,000) pounds.

(4) "Class 4" means vehicles of declared maximum gross weight, including vehicle and load, of not more than twenty-six thousand (26,000) pounds.

(5) "Class 5" means vehicles of declared maximum gross weight, including vehicle and load, of greater than twenty-six thousand (26,000) pounds.

SECTION 8.

(a) A dealer permit is permanent and valid as long as the permittee furnishes timely reports and remits the taxes

when due, or until surrendered by the holder or cancelled by the commissioner.

(b) A user permit shall be issued annually and is valid from the date of issuance through June 30 of each year unless a motor vehicle for which the tax is prepaid is sold or no longer used on the public highways. Application must be made each year for a current user permit.

SECTION 9.

(a) A dealer permittee who makes a sale or delivery of liquefied gas into a fuel supply tank of a motor vehicle which does not have a user permit affixed is liable to the state for the tax imposed and shall report and pay the tax in the manner required by this act.

(b) A dealer permittee may make a sale or delivery of liquefied gas into a fuel supply tank of a motor vehicle which does not have a user permit affixed if the permittee is shown a copy of the application for a user permit for the motor vehicle which was made within thirty (30) days of the sale or delivery. However, if the user permit is not granted the dealer permittee shall be liable to the state for the tax imposed.

SECTION 10.

(a) A dealer shall keep for four (4) years, open to inspection at all times by the department of revenue and the attorney general, a complete record of all liquefied gas received or purchased, sold, or delivered.

(b) A user permittee operating a vehicle used for commercial purposes shall keep for four (4) years, open to inspection at all times by the commissioner and the attorney general, a record of:

(1) the total miles traveled in all states by all the permittee's motor vehicles traveling into or from Tennessee and the total quantity of liquefied gas used in the motor vehicles; and

(2) The total miles traveled in Tennessee and the total quantity of liquefied gas delivered into the fuel supply tanks of motor vehicles.

(c) Each sale or delivery of liquefied gas into the fuel supply tanks of a motor vehicles shall be evidenced by an invoice. The prenumbered invoice must be printed and contain:

(1) the preprinted or stamped name and address of

the permitted dealer;

(2) The date;

(3) The number of gallons delivered;

(4) The name and address of the person taking delivery;

(5) The number of the user permit or if the vehicle does not have a permit, the state of registration and the license number; and

(6) The amount of tax paid or accounted for stated separately from the selling price.

(d) A permittee required to report ending odometer readings may deduct the miles traveled outside Tennessee from the total miles traveled.

SECTION 11.

(a) A dealer permittee, on or before the twenty-fifth (25th) day of the month following the end of each calendar quarter, shall file a report and remit the tax due. A dealer permittee who has made no taxable deliveries during the reporting period shall file a report.

(b) A user permittee operating a vehicle used for commercial purposes shall be required to submit a report on or before July 25 of each year, for the previous permitted year and shall remit the tax due. The report must state the ending odometer reading, the number of miles traveled in Tennessee, the number of miles traveled outside Tennessee, and other information required by the commissioner. In the absence of an ending odometer reading, the previous year's mileage shall be presumed to be 40,000 miles. A report shall be filed even if no tax is due. Failure to file this report shall result in the tax being assessed based upon the presumption that the vehicle traveled 40,000 miles.

(c)

(1) In computing the tax to be remitted, a permittee required to report ending odometer readings shall divide the total miles traveled in Tennessee by the mileage allowance for the applicable class. The resulting number of gallons used shall be multiplied by the tax rate imposed, to obtain the tax due. The cost of the permit shall be deducted from the tax due to obtain the tax to be remitted with the annual report.

(2) The number of gallons used shall be computed using the following mileage allowances:

Passenger cars	19 miles per gallon
Class 1	14 miles per gallon
Class 2	14 miles per gallon
Class 3	8 miles per gallon
Class 4	8 miles per gallon
Class 5	5 miles per gallon

SECTION 12.

(a) When a motor vehicle bearing a permit is sold or transferred, the seller and purchaser shall notify the commissioner within ten (10) days of the sale or transfer and a new permit shall be issued in the new possessor's name.

(b) When a motor vehicle bearing a permit is destroyed or the liquefied gas carburetor system removed, the permittee shall be refunded that portion of the prepaid tax that corresponds to the number of complete months remaining in the permitted year, beginning with the month following the date on which the vehicle or carburetor was no longer utilized. No refund shall be made if the use of the vehicle ceased in June. The permittee shall submit to the commissioner an affidavit identifying the vehicle the permit number, the circumstances which entitle a refund, and other information required by the commissioner. On receipt of the affidavit and when satisfied as to the circumstances, the commissioner shall make refund.

(c) A permittee is entitled to a refund of the amount of the Tennessee liquefied gas tax paid on each gallon of liquefied gas then used outside this state. On verification by the commissioner that the report was complete and timely filed, the refund shall be paid if ten dollars (\$10.00) or more is due the permittee. No refund less than ten dollars (\$10.00) shall be paid. Failure to timely file a report shall forfeit the right of refund.

SECTION 13. The tax imposed by this act shall be distributed as follows:

(1) One and fifty-eight hundredths percent (1.58%) to the general fund;

(2) Twenty-eight and twenty-eight hundredths percent (28.28%) to the counties to become a part of the county highway fund in the following manner:

(A) Fifty percent (50%) equally among all counties;

(B) Twenty-five percent (25%) on the basis of population; and

(C) Twenty-five percent (25%) on the basis of area.

(3) Fourteen and fourteen hundredths percent (14.14%) to municipalities, as defined in Section 54-4-201, on the basis set out at Section 54-4-203; and

(4) Fifty-six percent (56%) to the highway fund.

SECTION 14. Under the terms of the cession of jurisdiction to the United States of America by this state, the right is reserved to this state to tax sales of and privileges of dealing in liquefied gas used in the operation of motor vehicles within the limits of the Great Smokey Mountain Park which is within the boundaries of this state. The right is reserved to this state to tax sales of and privileges of dealing in liquefied gas used in the operation of motor vehicles within limits of any reservation or preserve within the boundaries of this state.

SECTION 15.

(a) If any permittee fails to make any report or pay any tax at the time required the commissioner shall proceed to assess and collect the amount due to be paid together with interest thereon at the rate provided for by law from the date the tax is due until the end of the month in which it is paid and a penalty of ten percent (10%) thereof, or ten dollars (\$10.00), which ever is greater. If collected by proceedings in any court, an additional penalty of twenty percent (20%) shall be collected by the commissioner. In the event no tax is due, a penalty of ten dollars (\$10.00) shall be payable for failure to timely file a required report.

(b) If any permittee fails to make the reports or pay the taxes at the time required, the commissioner may, upon compliance with the provisions of Chapter 5 of Title 4; suspend the permit until such time as either the reports are submitted or the taxes are paid or both of them are done.

(c) If any owner of a liquefied gas propelled motor vehicle that is required to be licensed in Tennessee for use on the public highways fails to prepay the tax as required in Section 7, the commissioner shall proceed to assess and collect the amount due to be paid together with a penalty of one hundred dollars (\$100.00).

SECTION 16. The commissioner is authorized to promulgate rules and regulations to implement this act in accordance with Chapter 5 of Title 4.

SECTION 17. Tennessee Code Annotated, Section 67-3702 (b), is amended by adding after the word "liquid" the words "except liquefied gas as defined in the liquefied gas tax law".

SECTION 18. Tennessee Code Annotated, Section 67-3703 (b), is amended by deleting the subsection in its entirety.

SECTION 19. Tennessee Code Annotated, Section 67-3302 (7), is amended by deleting the period (.) and adding the following language at the end of the first sentence, "except liquefied gas as defined in the liquefied gas tax law."

SECTION 20. This act shall take effect July 1, 1984, the public welfare requiring it.

On motion, the amendment was adopted.

Thereupon, House Bill No. 899, as amended, passed its third and final consideration by the following vote:

Ayes	91
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Dispayne, Dixon, Drew, Duer, Ellis, Elsea, Frensey, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wolfe, Wood, Work and Yelton--91.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 582--To provide for sewer service, certain counties.

Mr. Davis (Pickett) moved that House Bill No. 582 be passed on third and final consideration.

Mr. Miller moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 582 by deleting the language "having a

population of less than one thousand fifteen (1,015)" from the amendatory language of Section 1 and by substituting instead the language "having a population of not less than nine hundred ninety-nine (999) nor more than one thousand ten (1,010)".

On motion, the amendment was adopted.

Ms. Robinson (Washington) moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 582 by inserting between the numbers "(1,015)" and the words "according to the federal census" in Section 1, the following:

or incorporated by private act and having a population of not less than two thousand eight hundred and twenty-five (2,825) and not more than two thousand eight hundred and seventy-five (2,875), both

On motion, the amendment was adopted.

Thereupon, House Bill No. 582, as amended, passed its third and final consideration by the following vote:

Ayes	92
Noes	0
Present and not voting	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Eisea, Frensley, Gafford, Gaia, Gill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wolfe, Wood, Work and Yelton--92.

Representative present and not voting was: Harrill--1.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 876--To set clerks fee, legitimation of children.

MONDAY, APRIL 18, 1983--29th LEGISLATIVE DAY

Mr. Napier moved that House Bill No. 876 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton --96.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 1141--To define net earnings, corporate excise tax purpose.

On motion, House Bill No. 1141 was made to conform with Senate Bill No. 1100.

On motion, Senate Bill No. 1100, on same subject, was substituted for House Bill No. 1141.

Mr. Robertson moved that Senate Bill No. 1100 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	88
Noes	2

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), Kisber, Love, McAfee, McKinney, McNally, Miller, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir,

MONDAY, APRIL 18, 1983--29th LEGISLATIVE DAY

Smith, Stafford, Stallings, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--89.

Representatives voting no were: King (Washington) and Montgomery--2.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 205--To regulate absentee voting by mail.

On motion, House Bill No. 205 was made to conform with Senate Bill No. 205.

On motion, Senate Bill No. 205, on same subject, was substituted for House Bill No. 205.

Mr. Kelley moved that Senate Bill No. 205 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--94.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 1136--To regulate child welfare agencies.

Ms. Montgomery moved that House Bill No. 1136 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	84
Noes	1
Present and not voting	3

Representatives voting aye were: Anderson, Atchley, Bell,

MONDAY, APRIL 18, 1983--29th LEGISLATIVE DAY

Bewley, Bivens, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), DePriest, Dills, Dixon, Drew, Duer, Ellis, Elsea, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shockley, Sir, Smith, Stafford, Stallings, Tanner, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--84.

Representative voting no was: Shirley--1.

Representatives present and not voting were: Bragg, Kernell and Turner--3.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 1123--To enact Emergency Powers Act.

Mr. Wood moved that House Bill No. 1123 be passed on third and final consideration.

Mr. Copeland moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1123 by deleting from the second sentence of the amendatory language of Section 4 the words "shall immediately" and substituting instead the word "may".

AND FURTHER AMEND by deleting from the third sentence of the amendatory language of Section 4 the word "shall" and substituting instead the words "may also".

On motion, the amendment was adopted.

Mr. Cobb moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 1123 by deleting Section 3 in its entirety and substituting in lieu thereof the following:

(a) On February 1 of each year, or on more frequent occasions during periods of construction or when there is a change in designated capacity, the commissioner shall inform the Speaker of the Senate, the Speaker of the House of Representatives and Chairman of the Judiciary Committees of the Senate and House of

Representatives as to the designated capacity and in-house population of the correctional facilities administered by the department of correction and the reasons for the changes in the designated capacity, if any.

(b) Nothing in this Act shall be construed to affect the authority of the General Assembly to appropriate funds for the construction, renovation or alteration of correctional facilities administered by the department of correction.

(c) Nothing in this Act shall be construed to affect the authority of the State Building Commission to review, approve and oversee projects relating to the construction, renovation or alteration of correctional facilities administered by the department of correction.

On motion, the amendment was adopted.

Thereupon House Bill No. 1123, as amended, passed its third and final consideration by the following vote:

Ayes	91
Noes	3
Present and not voting	1

Representatives voting aye were: Anderson, Atchley, Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wolfe, Wood, Work and Yelton--91.

Representatives voting no were: Bell, Buck and Wix--3.

Representative present and not voting was: Covington--1.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 307--To enact "Tennessee Public Broadcasting Acts".

Mr. Wood moved that House Bill No. 307 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wolfe, Wood, Work and Yelton--94.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

Mr. Davis (Gibson) moved that House Bill No. 75 be placed on the Calendar for Thursday, April 28, 1983, which motion prevailed.

Mr. Bragg moved that House Bill No. 970 be placed on the Calendar for Thursday, April 28, 1983, which motion prevailed.

House Bill No. 499--To create Tennessee Competitive Export Corporation.

Mr. Copeland moved that House Bill No. 499, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	97
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--97.

MONDAY, APRIL 18, 1983--29th LEGISLATIVE DAY

A motion to reconsider was tabled.

House Bill No. 884--To repeal certain archaic provisions, Code.

On motion, House Bill No. 884 was made to conform with Senate Bill No. 552.

On motion, Senate Bill No. 552, on same subject, was substituted for House Bill No. 884.

Mr. Williams moved that Senate Bill No. 552 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wolfe, Wood, Work and Yelton--93.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 763--To provide for sale of bonds, public works projects.

On motion, House Bill No. 763 was made to conform with Senate Bill No. 489.

On motion, Senate Bill No. 489, on same subject, was substituted for House Bill No. 763.

Mr. Byrd moved that Senate Bill No. 489 be passed on third and final consideration.

Mr. Owen moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 489 by adding a new section to the bill:

SECTION ____. The provisions of this act for private sale of refunding bonds shall not apply in any municipality which is undertaking a consolidation of governmental and corporate functions with the county in which such municipality is located for a period of one year from date a charter commission has been appointed under the provisions of Tennessee Code Annotated, 7-2-101, et seq.

Mr. Miller moved to amend Amendment No. 1 as follows:

AMENDMENT NO. 1 TO AMENDMENT NO. 1

Amend Amendment No. 1 by adding an additional sentence at the end of the language added by amendment 1, as follows:

The provisions of this section shall be void and of no applicability of a vote on consolidation does not occur within one (1) year of the effective date of this act.

On motion, Amendment No. 1 to Amendment No. 1 was adopted.

Thereupon, Amendment No. 1, as amended, was adopted.

Mr. Byrd moved to amend as follows:

AMENDMENT NO. 2

Amend Senate Bill No. 489 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION ____. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

On motion, the amendment was adopted.

Mr. Miller moved to amend as follows:

AMENDMENT NO. 3

Amend Senate Bill No. 489 by deleting the section added by Amendment #1 to Amendment #1, and by adding an additional sentence at the end of the language added by amendment 1, as follows:

The provisions of this section shall be void and of no applicability if a vote on consolidation is held and fails.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 489, as amended, passed its third and final consideration by the following vote:

Ayes	92
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Phillips, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wolfe, Wood, Work and Yelton--92.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

CONSENT CALENDAR

Senate Joint Resolution No. 58--Relative to naming building, William Matt Jennings.

Senate Joint Resolution No. 31--Relative to nurse training, geriatric care.

House Bill No. 1278--To amend charter, Dowelltown.

House Bill No. 1279--To provide for general sessions court, Madison County.

House Joint Resolution No. 161--Relative to congratulating McMinn County High School.

House Joint Resolution No. 162--Relative to congratulating McMinn Central High School boys' basketball team.

Mr. Gill moved that all House Bills on the Consent Calendar be passed on third and final consideration, all House Joint Resolutions on the Consent Calendar be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton --96.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

RESOLUTION LYING OVER

Senate Joint Resolution No. 29--Relative to state technical institute, Blount County.

The Speaker referred Senate Joint Resolution No. 29 to the Committee on Education.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 580--To amend Title 55, Chapter 10, Code.

SENATE AMENDMENT NO. 1

Amend House Bill No. 580 by deleting Section 1 in its entirety and substituting instead the following new Section 1:

Section 1. Tennessee Code Annotated, Section 55-10-403(h), is amended by deleting the words, figures and punctuation "over six hundred thousand (600,000) according to the 1970 federal census" in the first sentence, and substituting instead the words, figures and punctuation "over three hundred eighteen thousand (318,000) according to the 1980 federal census".

Mr. Drew moved that the House concur in Senate Amendment No. which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--94.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 634--To regulate use of citations, Madison County.

SENATE AMENDMENT NO. 4

Amend House Bill No. 634 by deleting Section 1 thereof and substituting in lieu thereof the following:

Section 1. Tennessee Code Annotated section 40-7-118 is amended by deleting sub-section (j) thereof.

Mr. Kisber moved that the House concur in Senate Amendment No. 4, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--94.

MONDAY, APRIL 18, 1983--29th LEGISLATIVE DAY

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 340--To provide payment for special elections, General Assembly members.

SENATE AMENDMENT NO. 1

Amend House Bill No. 340 by deleting the amendatory language of Section 1 in its entirety and by substituting instead the following:

If a special election is held for the sole purpose of choosing a member of the General Assembly under Tennessee Code Annotated, Section 2-14-202(b), all expenses, including compensation of its employees and election officials, incurred by a county election commission or its members in the performance of duties under this title shall be paid out of the treasury of the state upon the certification of the chairperson and secretary of the county election commission to the secretary of state; provided, however, the secretary of state shall review said claim for expenses and only those items certified by the secretary of state to the comptroller of the treasury shall be paid."

Mr. Shockley moved that the House concur in Senate Amendment No.

1.

Mr. Bragg moved that the motion be tabled, which motion failed by the following vote:

Ayes	34
Noes	56
Present and not voting	4

Representatives voting aye were: Bell, Bragg, Brewer, Buck, Chiles, Clark (Davidson), Cobb, Covington, Davidson, Davis (Gibson), Davis (Pickett), DePriest, Drew, Ellis, Gafford, Henry, Herndon, Hudson, Jared, Johnson, Kisber, McKinney, Moore (Sullivan), Naifeh, Nance, Napier, Pruitt, Rhinehart, Robinson (Davidson), Scruggs, Tanner, Wallace, Work and Mr. Speaker McWherter--34.

Representatives voting no were: Anderson, Atchley, Bewley, Bivens, Burnett, Byrd, Clark (Sumner), Crain, Davis (Hamilton), DeBerry, Dills, Dixon, Duer, Elsea, Frensley, Gaia, Gill, Harrill, Hassell, Hillis, Hurley, Huskey, Jones, Kelley, Kent, King (Shelby), King (Washington), McAfee, McNally, Montgomery, Moore (Shelby), Murphy, Murray, Percy, Phillips, Pickering, Robertson, Robinson (Washington), Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Turner, Ussery, Webb, Wheeler, Whitson, Williams, Withers, Wolfe, Wood and Yelton--56.

Representatives present and not voting were: Miller, Owen, Robinson (Hamilton) and Wix--4.

MONDAY, APRIL 18, 1983--29th LEGISLATIVE DAY

Thereupon, Mr. Shockley's motion that the House concur in Senate Amendment No. 1 failed by the following vote:

Ayes	41
Noes	47
Present and not voting	5

Representatives voting aye were: Atchley, Bewley, Byrd, DeBerry, Dills, Dixon, Elsea, Frensley, Gill, Harrill, Hassell, Hillis, Hurley, Huskey, Jones, Kernell, King (Shelby), McAfee, McNally, Moore (Shelby), Percy, Phillips, Pickering, Pruitt, Robertson, Robinson (Washington), Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Turner, Ussery, Webb, Wheeler, Whitson, Withers, Wolfe and Wood--41.

Representatives voting no were: Anderson, Bell, Bivens, Bragg, Buck, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DePriest, Disspayne, Drew, Duer, Ellis, Gafford, Gaia, Henry, Herndon, Hudson, Jared, Johnson, Kelley, Kent, King (Washington), Kisber, McKinney, Montgomery, Moore (Sullivan), Murray, Naifeh, Nance, Napier, Rhinehart, Robinson (Davidson), Scruggs, Tanner, Wallace, Williams, Work, Yelton and Mr. Speaker McWherter--47.

Representatives present and not voting were: Miller, Murphy, Owen, Robinson (Hamilton) and Wix--5.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 490, 577 and 1176; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.:

276--To amend Title 40, Chapter 21, Code;

298--To provide for burial expenses, certain deceased employees;

599--To further define terms, "street" and "highway";

724--To amend Section 17-1-106, Code; all substituted for Senate

MONDAY, APRIL 18, 1983--29th LEGISLATIVE DAY

Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos.:

144--Relative to honoring Mrs. Helen R. Gault;

145--Relative to memory, Burnett O'Dell;

148--Relative to proclaiming Police Memorial Day and Week; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.:

386--To amend Section 37-250, Code;

490--To amend Section 49-5508 (c), code;

1271--To levy tax on lodgings, Rutherford County; all substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 50, 474, 539, 702, 735, 805, 849, 1243, 1259, 1260, 1261, 1262, 1263, 1267, 1268 and 1275; also, House Joint Resolution No. 163; all signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the house, Senate Bills Nos. 37, 506, 562, 782, 841 and 1122; also, Senate Joint Resolution nos. 86 and 87; all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MONDAY, APRIL 18, 1983--29th LEGISLATIVE DAY

SIGNED

The Speaker announced that he had signed the following: Senate Bills Nos. 37, 506, 562, 782, 841 and 1122; and Senate Joint Resolutions Nos. 86 and 87.

Mr. Hillis moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 174, 175 and 176 out of order, which motion prevailed.

INTRODUCTION OF RESOLUTIONS

House Joint Resolution No. 174--Relative to confirming appointment, Jim Carmichel to Wildlife Resources Commission--By Hillis and Robinson (Washington).

House Joint Resolution No. 175--Relative to confirming appointment Thomas L. Knowles, Wildlife Resources Commission--By Hillis and Bell.

House Joint Resolution No. 176--Relative to confirming appointment, Frank R. Madlinger, Wildlife Resources Commission--By Hillis and Williams.

Mr. Hillis moved that House Joint Resolution Nos. 174, 175 and 176 be referred to the Committee on Conservation and Environment, which motion prevailed.

BILL RE-REFERRED

On motion of Mr. Anderson, House Bill No. 1134 was recalled from the Committee on Commerce.

On motion of Mr. Anderson, House Bill No. 1134 was referred to the Committee on State and Local Government.

NOTICE PURSUANT TO RULE NO. 57

Pursuant to Rule no. 57, sponsors gave notice of their intentions to consider the following measures from the Senate on Wednesday, April 20, 1983:

House Bill No. 311--Clark (Sumner)

House Bill No. 492--Whitson

FURTHER CONSIDERATION OF AMENDED BILL

House Bill No. 268--To amend Section 4-15-102, Code.

Mr. Scruggs moved that the motion to reconsider be tabled, which motion prevailed.

SECOND ROLL CALL

The roll call was taken with the following results:

Present 98

Representatives present were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--98.

INTRODUCTION OF RESOLUTIONS

House Joint Resolution No. 167--Relative to the Tennessee Educational Television Network Act--By Wood.

The Speaker referred House Joint Resolution No. 167 to the Committee on Education.

House Joint Resolution No. 168--Relative to honoring Russ Bebb --By Scruggs, Severance, Hudson, Drew, Owen, Miller and Smith.

Under the rules, House Joint Resolution No. 168 was referred to the Committee on Calendar and Rules.

INTRODUCTION OF BILLS

House Bill No. 1283--To provide for Board of Mayor and Aldermen, Pikeville--By Rhinehart.

Passed first consideration.

House Bill No. 1284--To authorize severance tax, certain counties--By Rhinehart.

Passed first consideration.

House Bill No. 1285--To permit sale of red fox hides, certain counties--By Jared.

Passed first consideration.

MONDAY, APRIL 18, 1983--29th LEGISLATIVE DAY

SENATE BILLS ON FIRST CONSIDERATION

Senate Bill No. 515--To regulate tax, bill of costs, Norris.

Passed first consideration.

Senate Bill No. 559--To amend Section 49-215 (4), Code.

Passed first consideration.

Senate Bill No. 609--To regulate fireworks.

Passed first consideration.

Senate Bill No. 635--To amend Section 49-1314, Code.

Passed first consideration.

Senate Bill No. 673--To regulate selection, county medical examiners.

Passed first consideration.

Senate Bill No. 848--To establish permanent program, comprehensive education, Hamilton County.

Passed first consideration.

Senate Bill No. 884--To transfer school transportation equipment, certain counties.

Passed first consideration.

Senate Bill No. 922--To regulate sale of alcoholic beverages, certain historic centers.

Passed first consideration.

Senate Bill No. 976--To change interest rate, real estate sold for debt.

Passed first consideration.

Senate Bill No. 991--To regulate operation transitory vendors.

Passed first consideration.

HOUSE BILLS ON SECOND CONSIDERATION

House Bill No. 1280--To amend Charter, Murfreesboro.

Passed second consideration and held without reference.

MONDAY, APRIL 18, 1983--29th LEGISLATIVE DAY

House Bill No. 1281--To amend Charter, Huntingdon.

Passed second consideration and held without reference.

House Bill No. 1282--To authorize tax on lodgings, Scott County.

Passed second consideration and held without reference.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors to the bills as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 109--Duer (Co-Prime)

House Bill No. 499--Love, King (Washington), Davidson, Harrill, Stallings, Kelley, Bivens, Herndon, Shockley, Work, DePriest, Clark (Sumner), Kent, Atchley, Wolfe, Anderson, Whitson, Owen, Bell and Byrd.

House Bill No. 577--Love

REPORT OF COMMITTEE ON CALENDAR AND RULES

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Wednesday, April 20, 1983: House Bills Nos. 1180, 305, 1168, 1029, 717, 934, House Joint Resolution No. 105, House Bill Nos. 685, 195, 1088, 797, 980, 867, 1058, 1073 and 845.

GILL, Chairman.

LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES

In accordance with Rule No. 47, the following local bills, having received authorization for passage by the local legislative delegation, were transmitted to the Calendar and Rules: House Bills Nos. 1254, 1255 and 1282.

REPORT OF COMMITTEE ON CALENDAR AND RULES

CONSENT CALENDAR

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bills on the Consent Calendar for Wednesday, April 20, 1983: House Bill No. 1282 and House Joint Resolution No. 168; House Bills Nos. 1254 and 1255; and House Joint Resolution No. 142.

GILL, Chairman.

MONDAY, APRIL 18, 1983--29th LEGISLATIVE DAY

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.:

114--To amend Shelby County Restructure Act.

The Senate nonconcurred in House Amendment No. 1.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.:

169--To fix liability, damaged textbooks.

The Senate concurred in House Amendments Nos. 1 and 3 and nonconcurred in House Amendment No. 4.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos.:

166--Relative to declaring Greene County Bicentennial Day;

170--Relative to congratulating Memphis State University women's basketball team;

171--Relative to congratulating Memphis State University men's basketball team; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos.:

74--Relative to regulating price plan, natural gas;

89--Relative to memory, Lewis E. Moore;

91--Relative to commending Leon Steinberg; adopted for

MONDAY, APRIL 18, 1983--29th LEGISLATIVE DAY

concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos.:

60--To regulate medical care, injured employees, Workers' Compensation Law;

229--To regulate net fishing;

249--To regulate state group insurance plan;

251--To regulate Deferred Compensation Plan;

419--To remove certain provisions, education laws;

444--To regulate voter registration by mail;

518--To amend Section 37-204, Code;

530--To allow review, adoption records, certain circumstances;

542--To amend Section 53-103, Code;

553--To amend Section 40-33-107, Code;

592--To amend Section 40-28-107, Code;

958--To regulate coon dog training, Washington County;

1162--To regulate sale, red fox hides, certain counties; all passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 307, 499, 582, 779, 780, 876, 899, 1123, 1136, 1278 and 1279; and House Joint Resolutions Nos. 161 and 162; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MONDAY, APRIL 18, 1983--29th LEGISLATIVE DAY

Mr. Rhinehart moved that the rules be suspended in order that all pre-filed local bills could be introduced and passed on first consideration, which motion prevailed.

INTRODUCTION OF BILLS

House Bill No. 1286--To repeal Chapter 373, Private Acts, 1982
--By Tanner.

Passed first consideration.

House Bill No. 1287--To repeal Chapter 153, Private Acts, 1979
--By Montgomery, Yelton, Moore (Sullivan) and Whitson.

Passed first consideration.

House Bill No. 1288--To impose litigation tax, certain cases,
Cannon County--By Buck and Hillis.

Passed first consideration.

On motion of Mr. Naifeh, the House adjourned until 2:00 p.m.,
Wednesday, April 20, 1983.